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10 *Attorney for Plaintiff Saginaw Police &*
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAGINAW POLICE & FIRE PENSION FUND,
Derivatively on Behalf of HEWLETT-PACKARD
COMPANY,

Plaintiff,
vs.

MARC L. ANDREESSEN, LAWRENCE T.
BABBIQ, SARI M. BALDAUF, RAJIV L.
GUPTA, JOHN H. HAMMERMREN, MARK V.
HURD, JOEL Z. HYATT, JOHN R. JOYCE,
ROBERT L. RYAN, LUCILLE S. SALHANY,
and G. KENNEDY THOMPSON,

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

Civil Action No: 5:10-CV-4720-EJD

**STIPULATION AND [PROPOSED]
ORDER TO ESTABLISH BRIEFING
SCHEDULE FOR MOTIONS TO
DISMISS**

Courtroom: Courtroom 1, 5th Floor
Judge: Hon. Edward J. Davila

Trial Date: Not Yet Set

1 Plaintiff Saginaw Police & Fire Pension Fund (“Saginaw”) and Defendants Marc L.
2 Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hambergren, Joel Z.
3 Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany and G. Kennedy Thompson (the “Director
4 Defendants”), Mark V. Hurd (“Hurd”) and Nominal Defendant Hewlett-Packard Company (“HP”)
5 stipulate as follows:

6 **WHEREAS**, Plaintiff Saginaw filed this action captioned *Saginaw Police & Fire Pension*
7 *Fund v. Marc L. Andreessen* (Case No. 5:10-CV-4720) in this Court on October 19, 2010;

8 **WHEREAS**, HP and the Director Defendants each filed motions to dismiss on August 15,
9 2011;

10 **WHEREAS**, Hurd filed a motion to dismiss on August 19, 2011;

11 **WHEREAS**, under the local rules, Saginaw’s deadline for filing its briefs in opposition to
12 the motions to dismiss filed by HP and the Director Defendants is August 29, 2011;

13 **WHEREAS**, under the local rules, Saginaw’s deadline for filing its brief in opposition to the
14 motion to dismiss filed by Hurd is due on September 2, 2011;

15 **WHEREAS**, counsel for Saginaw has represented that, in light of Defendants’ motion to
16 dismiss papers and counsel’s responsibilities in other legal matters, it would be unduly burdensome
17 for Saginaw to submit its opposition briefs within the time period currently provided;

18 **WHEREAS**, Defendants consent to an extension of time for Saginaw to file its opposition
19 briefs on the condition that their time to file their reply briefs is extended by two weeks from one
20 week for a total of three weeks

21 **WHEREAS**, this is the first application to change the briefing schedule for Defendants’
22 motions to dismiss;

23 **WHEREAS**, the proposed briefing schedule does not appear to require changes to any other
24 deadline set by the Court in this case;

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NOW, THEREFORE, the parties agree as follows:

2 1. Plaintiff Saginaw shall file its briefs in opposition to the motions to dismiss on
3 or by September 19, 2011.

4 2. HP, the Director Defendants, and Hurd shall file their reply briefs on or by
5 October 11, 2011.

6 | DATED: August 24, 2011 SCOTT+SCOTT LLP

/s/ Anne Box

ANNE BOX

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Attorney for Plaintiff Saginaw Police & Fire Pension Fund

I, Anne Box, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO ESTABLISH BRIEFING SCHEDULE FOR MOTIONS TO DISMISS. In compliance with General Order 45, X.B., I hereby attest that each of the three signatories below has concurred in this filing.

16 | DATED: August 24, 2011

ALLEN MATKINS LECK GAMBLE MALLORY & NASTIS LLP

/s/ Lawrence D. Lewis

LAWRENCE D. LEWIS

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Attorneys for Defendant Mark V. Hurd

1 DATED: August 24, 2011

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3 /s/ Marc Sonnenfeld

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8 *Attorneys for Nominal Defendant Hewlett-Packard
Company*

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DATED: August 24, 2011

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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11 /s/ James E. Lyons

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T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H.
Hammergren, Joel Z. Hyatt, John R. Joyce, Robert L.
Ryan, Lucille S. Salhany and G. Kennedy Thompson*

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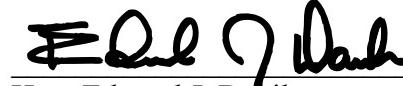
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PURSUANT TO STIPULATION, IT IS SO ORDERED:

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Dated: August 26, 2011



Hon. Edward J. Davila

United States Judge

Northern District of California

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